

Appendix A

Candidate Conservation Agreement

for

Sagebrush Steppe Assemblage

Greater Sage-grouse (Centrocercus urophasianus)
Sagebrush Sparrow (Artemisiospiza nevadensis)
Brewer's Sparrow (Spizella breweri)
Sage Thrasher (Oreoscoptes montanus)

and

Shortgrass Prairie Assemblage

Black-tailed Prairie Dog (Cynomys Iudovicianus)
Mountain Plover (Charadrius montanus)
Burrowing Owl (Athene cunicularia)
Ferruginous Hawk (Buteo regalis)

Developed in partnership by

U.S. Fish and Wildlife Service
Bureau of Land Management
U.S. Forest Service
Thunder Basin Grasslands Prairie Ecosystem Association

February 8, 2017

Contents

1	11	NTRODUCTION	2
	1.1	Overview	2
	1.2	CCA Relationship to Section 7 of the ESA	2
	1.3	Relationship of CCA to BLM and USFS Management Plans and Authorizations	3
	1.4	CCA Participation	4
2	L	EGAL AUTHORITY AND PURPOSE	4
	2.1	Legal Authority	4
	2.2	Purpose	5
3	R	RESPONSIBILITIES OF THE PARTIES	5
	3.1	Participating Members	5
	3.2	Association	6
	3.3	FWS	6
	3.4	BLM and USFS	7
4	Ε	NROLLED PROPERTY AND COVERED ACTIVITIES	7
	4.1	Enrolled Property	7
	4.2	Covered Activities	8
5	S	SPECIES SPECIFIC INFORMATION	8
6	C	CI/CPs	9
7	P	PROVISIONS FOR ADAPTIVE MANAGEMENT	9
8	Ν	MONITORING PROVISIONS	9
9	D	DURATION OF CCA	10
10) N	MODIFICATION OF THE CCA	10
11	L R	REMEDIES	10
12	2 D	DISPUTE RESOLUTION	10
13	B N	NO THIRD-PARTY BENEFICIARIES	11
14	ŀ F	UNDING AND IMPLEMENTATION OF CONSERVATION MEASURES	11
15	5 N	NOTICES AND REPORTS	11

1 INTRODUCTION

1.1 Overview

This CCA for Sagebrush Steppe and Shortgrass Prairie Assemblages, along with the CCAA and CA for these assemblages are integral parts of the combined conservation Strategy. This Strategy and the three agreements implementing it were developed by the Association, in partnership with the FWS, BLM, and USFS, to address threats to eight at risk species, four in the Sagebrush Steppe Assemblage and four in the Shortgrass Prairie Assemblage. These species assemblages consist of the following: within the Sagebrush steppe ecotype, the greater sage-grouse, sagebrush sparrow, Brewer's sparrow, and the sage thrasher; and, within the Shortgrass Prairie ecotype, the black-tailed prairie dog, mountain plover, burrowing owl, and ferruginous hawk.

The purpose of this CCA is to support implementation of the conservation Strategy on federal lands administered by the BLM and USFS in the Coverage Area by allowing Participating Members to voluntarily implement the conservation Strategy for certain land use activities conducted on these federal lands pursuant to a BLM or USFS permit, lease or other authorization.

This CCA is a voluntary agreement, administered by the Association, that offers an opportunity for Participating Members whose Covered Activities occur on a combination of federal and non-federal property to voluntarily identify and implement coordinated and collaborative Conservation Measures within the commingled surface and sub-surface landscape of the Coverage Area.

1.2 CCA Relationship to Section 7 of the ESA

When a species becomes listed under the ESA, that action triggers certain protections and obligations with respect to the species for non-federal landowners and for federal agencies. Chief among them are the protections provided by Section 9 of the ESA and federal regulation pursuant to section 4(d) of the Act, which prohibits landowners and others from "take" (i.e., harass, harm, pursue, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct) of listed species. In addition, Section 7 of the ESA requires federal agencies to ensure, in consultation with FWS, that any actions they authorize, fund or carry out is not likely to jeopardize the continued existence of the listed species or result in the destruction or adverse modification of the listed species' designated critical habitat. Additionally, Section 7 requires federal agencies to carry out programs for the conservation of listed species.

Federal agencies have the option under ESA Section 7 and FWS regulation and policy to confer with FWS regarding federal actions that may affect non-listed species in order to ensure that the action is not likely to jeopardize the species' continued existence. The FWS also supports a proactive approach to conserving at-risk species, which may reduce or eliminate the need for future protection of the species under the ESA. As a result, although not required by the ESA, the BLM and USFS have requested that FWS provide a "conference opinion" under ESA Section 7 on their implementation of the proposed CCA. FWS policy also requires an intra-agency consultation pursuant to section 7(a)(4) of the ESA on the issuance of a section 10(a)(1)(A) permit for the parent CCAA. FWS will complete a Section 7 conference on the CCA (one for BLM and one for USFS) and FWS's intra-agency consultation on the permit under

the CCAA (Conference Opinions). The final Conference Opinions will include an incidental take statement that will anticipate the amount and type of take incidental to the implementation of the Strategy. The incidental take statement would provide incidental take coverage for lessees, permittees, and licensees of federal property, if a Covered Species became listed.

Should one or more of the Covered Species addressed in the Strategy become listed, the FWS will review the Conference Opinions for these agreements and permit with respect to the now-listed species in coordination with the cooperating federal agencies. The purpose of this review would be to determine if the FWS can convert the Conference Opinions to the Biological Opinion for these federal actions so that no further Section 7 consultation is necessary for them. FWS would adopt the Conference Opinions and associated incidental take statement as a Biological Opinion for the listed species, thus completing the Section 7 consultation process, if upon review it determines that no significant new information on the species (including potential designation of Critical Habitat) is available and no significant changes were made to the Strategy since the Conference Opinions that would alter its content or determinations with respect to the now-listed species. If the Conference Opinions are adopted as the Biological Opinion, then no additional Conservation Measures or restrictions relating to the listed species and its designated critical habitat will be imposed through the Section 7 process, and the incidental take identified in Conference Opinions will be authorized pursuant to the incidental take statement in the Biological Opinion. If, however, FWS determines that changes or new information affect the analyses or determinations in the Conference Opinions, then section 7 consultation will be required to revise the analyses and produce a Biological Opinion regarding the Strategy.

It is the goal of the Strategy to ensure adequate Conservation Measures, sufficient Adaptive Management, and monitoring obligations to allow the Conference Opinions to be adopted as the Biological Opinion without revision on the effective date of any decision to list any of the Covered Species. Therefore, this CCA and the related Conference Opinions provide the best mechanism to provide greater certainty that authorized land use activities can continue on federal lands without additional measures or restrictions in the event any of the Covered Species are listed under the ESA. This further increases the likelihood that no additional modifications pertaining to the Covered Species would be required of the Participating Member as a result of Section 7 coordination and consultation for ESA compliance.

The CCA and associated Section 7 process described above provides greater predictability that BLM/FS's ESA requirements would be met if any of the Covered Species became listed, thereby increasing the likelihood that no additional modifications pertaining to the Covered Species would be required of the Participating Member. It should be noted that if a Covered Species does become listed under the ESA, Participating Members and the BLM/FS must adhere to the voluntary measures agreed to as part of the CCA in order to maintain agency compliance with Section 7 of the ESA, or else the BLM/FS must undergo further consultation with the FWS.

1.3 Relationship of CCA to BLM and USFS Management Plans and Authorizations

BLM's Buffalo, Casper and Newcastle Field Office RMPs and the USFS Thunder Basin National Grassland's LRMP establish goals and objectives for resource management on lands administered by these agencies and identify measures needed to achieve these goals and objectives. Where changing

conditions require updates to the information or analysis contained in an RMP or LRMP, the federal agencies may amend these plans to address the changing conditions.

Benefits of the Strategy were incorporated into the 2015 RMP and LRMP sage-grouse revisions. However, all applicable Association members remain subject to the requirements of current and future BLM and USFS land management plans and leases, permits and other authorizations issued under these plans, even if they are participating in the CCA.

The Conservation Measures voluntarily undertaken by Participating Members were designed to complement the applicable BLM RMPs and USFS LRMPs. Neither BLM nor the USFS can provide a Participating Member with absolute assurance that additional requirements relating to conservation of the Covered Species or their habitat will not be applied in the future under the agencies' respective management plans and authorizations or the ESA.

BLM and the USFS have agreed that they will not seek to modify existing permit or lease terms and condition as a result of this non-regulatory, voluntary CCA implementation or maintenance. This CCA is not a decision document, and as such does not replace any need for site-specific NEPA analysis for new or ongoing land-use authorizations by BLM or USFS.

1.4 CCA Participation

Conservation Measures implemented in the CCA will be selected from the same Conservation Measures used by the CCAA (Appendices C and D). CI/CPs will be issued by the Association to Participating Members who voluntarily meet agreed-upon Conservation Measures for Covered Activities that involve a Federal permit or other authorization. These CI/CPs will be administered similarly to the CIs for non-federal property enrolled in the CCAA. For more information on how the Association will administer the CI/CPs, see Appendix E to the Strategy.

2 LEGAL AUTHORITY AND PURPOSE

2.1 Legal Authority

Sections 2 and 7 of the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 *et seq.*, authorize the FWS to enter into this CCA. Section 2 of the ESA states that encouraging interested parties, through federal financial assistance and a system of incentives, to develop and maintain conservation programs is a key to safeguarding the Nation's heritage in fish, wildlife, and plants. Section 7 of the ESA requires the FWS to review programs that it administers and to utilize such programs in furtherance of the purposes of the ESA. By entering into this CCA, the FWS is utilizing its Candidate Conservation Programs to further the conservation of the Nation's fish and wildlife.

The Federal Land Policy and Management Act (FLPMA, Section 307, 43 USC 1737), which provides overall direction to the BLM for conservation and management of public lands, allows the BLM to participate in conservation agreements. The BLM manual, Section 6840 ("Special Status Species Management") provides overall policy direction to BLM managers to conserve listed threatened or endangered species on BLM administered lands, and to assure that actions authorized on BLM administered lands do not contribute to the need to list species deemed by the BLM to be "sensitive." Finally, the BLMs 1998 "Guide to Agreements" notes that "Cooperative Management Agreements" are

typically long-term agreements with other parties interested in joint management of wildlife habitats or other areas.

The National Forest Management Act of 1976, as amended, which provides overall direction to the USFS for conservation and management of public lands, allows the USFS to participate in conservation agreements. The Forest Service Manual, Sections 2600-2670, provides overall policy direction to USFS managers to conserve listed threatened or endangered species on USFS administered lands. Section 2670.12 directs the Forest Service to manage "habitats for all existing native and desired nonnative plants, fish, and wildlife species in order to maintain at least viable populations of such species", to conduct activities and programs "to assist in the identification and recovery of threatened and endangered plant and animal species", and to avoid actions "which may cause a species to become threatened or endangered."

2.2 Purpose

The purpose of this CCA is for the FWS, BLM, and USFS to join with the Association to coordinate the implementation of Conservation Measures for the Covered Species by preserving and enhancing habitat for these species, while reducing threats that are controllable within the defined Coverage Area. Primary objectives of the CCA are to:

- provide a vehicle for voluntary implementation of the Conservation Strategy on BLM and USFSadministered lands in the Coverage Area and allow for consistent management across federal and non-federal lands.
- coordinate and implement Conservation Actions to reduce or eliminate known threats associated with Covered Activities to the Covered Species within the Coverage Area,
- identify CPAs within the Coverage Area with input from the Conservation Advisory Committee,
- implement Conservation Measures where they are most likely to achieve lasting conservation benefit,
- support ongoing efforts, especially those of WGFD to establish or re-establish and maintain viable populations of the Covered Species in both 'occupied' and 'suitable, but unoccupied' habitats,
- encourage development and protection of suitable Covered Species habitat by giving Participating Members incentives to implement specific Conservation Measures (as described in their CI/CPs),
- provide Participating Members a high degree of certainty that the section 7 Conference Opinions for applicable Conservation Measures would be expeditiously converted to a Biological Opinion, and thus, would reduce the likelihood of additional land use restrictions that might otherwise apply should any of the Covered Species become listed, and
- allow Participating Members to continue operations under their existing BLM and USFS authorizations should any of the Covered Species be listed, while protecting and improving habitat conditions for the Covered Species.

3 RESPONSIBILITIES OF THE PARTIES

3.1 Participating Members

To participate in the CCA, interested property owners must be a member of the Association with CCAA coverage (see Appendix E, Section 3) and must enroll their property by completing and submitting a

CI/CP (see Appendix F), which will include specific Conservation Measures (see all Conservation Measures in Appendices C and D) the Participating Member commits to implementing. The CI/CP must be approved by the Association and signed by the parties.

With respect to both federal and non-federal properties, the Participating Member agrees to implement Conservation Measures either on or off these properties as provided in the CI/CP, consistent with the conservation Strategy.

The Participating Member will:

- 1) Comply with the applicable terms and conditions of the CCA
- 2) Implement all Conservation Measures identified within the CI/CP
- 3) Monitor as agreed to within the Conservation Measures and as described in their CI/CP
- 4) Report results of monitoring annually to the Association as described in their CI/CP
- 5) Notify the Association of incidental take of Covered Species following listing as described in Section 8.5 of the parent CCAA.

3.2 Association

The Association agrees to implement and administer this CCA by:

- 1) Encouraging Association Members to enroll their property in the CCA through CI/CPs when areas they hold under a lease, license, or permit with a federal agency are occupied by or contain potentially suitable habitat for the Covered Species.
- 2) Working with appropriate land management / wildlife professionals and researchers to ensure that Conservation Measures remain current and incorporate appropriate best management practices.
- 3) Working with Participating Members to ensure CI/CPs include appropriate Conservation Measures, including best management practices to avoid impacts to migratory birds. All applicable CI/CPs will include conservation strategies to ensure that rangeland health is maintained, especially during drought.
- 4) Approving and signing CI/CPs utilizing the Conservation Measures detailed in Appendix C for sagebrush obligates and Appendix D for shortgrass prairie species. All CI/CPs will be available to the FWS, BLM, and USFS and summarized in the annual monitoring report.
- 5) Being the primary party responsible for conducting monitoring activities as specified in the Strategy (See Section 12, 13, and 14 in the CCAA and monitoring provisions in Appendices C and D).
- 6) Working with landowner members to ensure appropriate implementation of the provisions of their individual CI/CPs.
- 7) Submitting an annual report to the FWS, BLM, and USFS by March 15 of the following year, that documents activities implemented under this CCA, their effects on Covered Species, and effects of activities undertaken in prior years that require multi-year monitoring on Covered Species.

3.3 **FWS**

The FWS agrees to provide the following administrative and technical assistance to aid the Association in implementing the Conservation Measures, subject to authorized and availability of appropriated funds:

1) Review, those monitoring and other reports submitted by the Association to the FWS for compliance with the terms of the Strategy and associated CI/CPs.

- 2) Serve on the Conservation Advisory Committee, provide expertise on the management and conservation of the Covered Species, help to determine CPAs, provide assistance in developing and implementing CIs and CI/CPs, evaluate and process modifications or amendments, and provide assistance in coordinating implementation of this Strategy.
- 3) Help seek funding, if available, to achieve the Conservation Measures and implement monitoring and Adaptive Management activities outlined in the Conservation Measures given in Appendices C and D.
- 4) Provide technical assistance to the Association and Participating Members regarding migratory birds. This includes identifying potential impacts of the implementation of Conservation Measures during migratory bird nesting season and recommendations of best management practices to avoid impacts to migratory birds.

3.4 BLM and USFS

The BLM and USFS agree to provide the following technical assistance to aid the Association in implementing the Conservation Measures, subject to authorization and availability of appropriated funds:

- 1) Serve on the Conservation Advisory Committee, provide expertise on the management and conservation of the Covered Species habitat, help to determine CPAs, provide assistance in developing and implementing CI/CPs, evaluate and process modifications or amendments (see Section 10) and provide assistance in coordinating implementation of this CCA.
- 2) Help seek funding, if available, to achieve the Conservation Measures and implement monitoring and Adaptive Management activities outlined in the Conservation Measures given in Appendices C and D.
- 3) Agree that BLM/USFS is unlikely to impose additional measures, stipulations or restrictions pertaining to the Covered Species upon Participating Members enrolled in the CCA. This further increases the likelihood that no additional modifications pertaining to the Covered Species would be required of the Participating Member as a result of Section 7 coordination and consultation for ESA compliance.

4 ENROLLED PROPERTY AND COVERED ACTIVITIES

4.1 Enrolled Property

This CCA applies to all Covered Activities by Participating Members that are authorized by the BLM or USFS and occur on BLM/USFS property in the Coverage Area. Association Members seeking coverage must be willing and able to conduct appropriate Conservation Measures on properties which lie within the Coverage Area.

Association Members with energy development projects seeking to participate in this CCA are encouraged to conduct Conservation Measures on reclaimed areas either owned or under their management control through the term of the CCA and/or on those lands they own but are not scheduled for energy development. All Participating Members are encouraged to conduct or facilitate Conservation Measures in partnership with other member on properties within the Coverage Area. See section 6 below for specific information about enrollment of entities into this CCA.

4.2 Covered Activities

This CCA covers the following land use activities conducted by Participating Members, authorized by the BLM or USFS, occurring on BLM/USFS property in the Coverage Area, as well as the implementation of the Conservation Measures required by each CI/CP in this CCA. Covered Activities include the items set forth below and operations reasonably associated with the Covered Activities:

- General farm operations: Cultivation of fields; planting, cultivation and harvesting small grain, seed
 and/or hay crops; irrigation by flooding or sprinklers; construction and placement of watering
 sources; installation, maintenance, and reconstruction of access roads, fences, and power lines;
 leasing of fee minerals; agricultural equipment operation; weed control; and construction and
 maintenance of farm houses (no subdivisions), outbuildings, fences and corrals.
- 2. General ranching operations: Grazing of forage; feeding hay and dietary supplements in feedlots and in pastures; calving and branding operations, including temporary penning of animals; disposal of dead animals; construction and placement of watering sources; installation of access roads, fences, and power lines; gathering and shipping livestock; general stewardship and animal husbandry practices; leasing of fee minerals; and construction and maintenance of ranch houses (no subdivisions), outbuildings, fences and corrals.
- 3. *Oil and gas production operations*: Exploration, construction, operation and maintenance of oil and gas wells, including production facilities, gathering systems, waste water reservoirs, access roads, fences, power lines, and other ancillary activities necessary to produce oil and gas from federal, state and fee mineral leases.
- 4. Surface/in-situ mining operations: Exploration, leasing, construction, operation and maintenance of a surface or in-situ mine. This would include activities such as establishment and utilization of mine facilities; overstripping operations (including drilling and blasting); stockpiling overburden and topsoil; mineral removal (including drilling and blasting); backfilling; grading; establishment and utilization of drainage diversions, sedimentation ponds, waste water reservoirs, haul roads, fences, power lines, and railroads; environmental monitoring activities, reclamation of mined lands including animal husbandry, and other ancillary activities necessary to mine minerals from federal, state and fee leases and reclaim associated mined lands. For example, surface coal mining involves progressive sequencing of topsoil salvage, overburden removal, coal removal, backfilling and recontouring, topsoil reapplication, seedbed preparation and reseeding, and animal husbandry. The active mining process moves progressively through this sequence. Active mining includes lands being contemporaneously reclaimed utilizing direct haul of topsoil and fill material along with material from stockpiles. Reclamation efforts correspond with fluctuations in mine production.

5 SPECIES SPECIFIC INFORMATION

For a complete description of the natural history, status and distribution, and threats for the Covered Species, see the parent CCAA for Sagebrush Steppe Assemblage and Shortgrass Prairie Assemblage.

6 CI/CPs

A CI/CP is the mechanism for any Association Member that holds a lease, license, permit, contract or other authorization from BLM or USFS to conduct Covered Activities on BLM/USFS property in the Coverage Area to participate in the CCA. See Appendix F for an example CI/CP and Appendix E for more details on implementation. The CI/CP includes the non-federal property the Association Member wishes to enroll in the CCAA and the BLM/USFS property on which they are authorized to conduct one of the Covered Activities that they wish to include in the CCA.

With respect to both these federal and non-federal properties, the Participating Member agrees to implement Conservation Measures either on or off these properties as provided in the CI/CP, consistent with the Conservation Strategy, where they are most likely to achieve conservation benefit to the Covered Species. Even though the owner of a federal lease or allotment may change over time, the CI/CP may remain associated to the enrolled property described in the CI/CP, if the new owner of the federal lease or allotment also agrees to conditions stated in the CI/CP.

The Association will be responsible for enrolling Association Members in the CCA. The Strategy provides details on how Conservation Measures will be apportioned relative to the CPAs, land ownership, mineral estate, and likelihood of subsequent development of the mineral estate (Appendix E). For example, in the case where an enrolled property is within sage-grouse core area habitat, Conservation Measures would be implemented on the enrolled property with the intent of maintaining or improving long-term conservation value of those lands. Where an enrolled property is outside a CPA and where development of the federal mineral estate may occur, some pre-reclamation Conservation Measures (e.g., treatment of cheatgrass) may be appropriate for the enrolled property, but until reclamation is underway, conservation emphasis would be directed to other enrolled properties within or in proximity to CPAs. It is important to note that Conservation Measures may or may not be used on the enrolled property as described under its corresponding CI/CP since that area may not encompass the highest priority area identified for conservation actions (see Appendix E for more details on implementation of Conservation Measures).

7 PROVISIONS FOR ADAPTIVE MANAGEMENT

The Association, in conjunction with Participating Members and qualified consultants, will be responsible for monitoring as specified in each Conservation Measure. For a complete description of the Adaptive Management process, see the CCAA.

8 MONITORING PROVISIONS

The parent CCAA for Sagebrush Steppe Assemblage and Shortgrass Prairie Assemblage contains all monitoring provisions and these provisions are incorporated into this CCA by reference.

If any of the Covered Species become listed under the ESA, the Association agrees to provide the FWS with an opportunity to rescue individuals, with the cooperation of BLM/USFS, of the Covered Species on lands with CCA coverage prior to actions that would cause losses to occur, provided the Association is aware of these actions. Notification that Covered Species are available for rescue will be provided to the FWS at least 30 days in advance of the action. In no case will failure of the FWS to

rescue identified Covered Species populations within the allotted time frame require Participating Members to delay any action(s) which could cause population losses to occur.

9 DURATION OF CCA

The anticipated duration of this CCA is the same as the parent CCAA. However this CCA will remain in effect until termination of the parent CCAA or until one or more of the participating parties terminates it. Any signatory may withdraw from this CCA at any time by providing 30 days written notice to all other signatories. A decision to withdraw from the CCA will result in, among other things, individual section 7 requirements to consult on all federal actions that may affect listed species.

10 MODIFICATION OF THE CCA

Any signatory may propose modifications or amendments to this CCA by providing written notice to, and obtaining the written concurrence of, all other signatories. Such notice shall include a statement of the proposed modification, the reason for it, and its expected results. Modifications or amendments to Conservation Measures and associated monitoring will be reviewed by the Conservation Advisory Committee. The signatories will use their best efforts to respond to proposed modifications within 60 days of receipt of such notice. Proposed modifications to the CCA will become effective upon the receipt of all other signatories' written concurrence. If changes or new information affect the analyses or determination, section 7 consultation should be reinitiated to revise the analyses for the biological opinion.

11 REMEDIES

No Party shall be liable in damages for any relief under this Agreement (including, but not limited to, damages, injunctive relief, personal injury, and attorney fees) for any performance or failure to perform under this Agreement. Furthermore, no Party has any right of action under this Agreement.

12 DISPUTE RESOLUTION

The informal dispute resolution process among the signatory parties of the conservation Strategy may utilize the following steps to attempt resolve disputes, unless the parties agree upon another dispute resolution process, or unless an aggrieved party has initiated administrative proceedings or suit in federal court. This process will apply to resolution of any dispute between FWS and the Board as described in Appendix E, Section 6, of this conservation Strategy.

- 1) The aggrieved party will notify the other parties of the potential violation, the basis for contending a violation has occurred, and the remedies it proposes to correct the alleged violation.
- 2) The party alleged to be in violation will have 30 days, or such other time as may be agreed, to respond.
- 3) Within 30 days after such response was provided or was due, representatives of the parties having authority to resolve the dispute will meet and negotiate in good faith toward a solution satisfactory to all involved parties, or will establish a specific process and timetable to seek such a solution.

4) If any issues cannot be resolved through such negotiations, the parties involved will consider non-binding mediation and other alternative dispute resolution processes and, if a dispute resolution process is agreed upon, will make good faith efforts to resolve all remaining issues through that process.

13 NO THIRD-PARTY BENEFICIARIES

The CCA does not create any new right or interest in any member of the public as a third-party beneficiary, nor shall it authorize anyone not a party to the Strategy to maintain a suit for personal injuries or damages pursuant to the provisions of this Strategy. The duties, obligations, and responsibilities of the parties to this Strategy with respect to third parties shall remain as imposed under existing law.

14 FUNDING AND IMPLEMENTATION OF CONSERVATION MEASURES

This CCA is subject to available funding and staffing. This does not impose financial obligations beyond appropriations. The parties to this agreement are committed to seeking funding to implement this conservation agreement each year.

15 NOTICES AND REPORTS

Any notice or reports, including monitoring and annual reports, required by this CCA shall be delivered to the person listed below as appropriate:

Thunder Basin Grasslands Prairie Ecosystem Association 671 Steinle Rd Douglas, WY 82633

Field Supervisor, Wyoming Field Office U.S. Fish and Wildlife Service 5353 Yellowstone Road, Suite 308A Cheyenne, WY 82009

State Director
Bureau of Land Management
Box 1828
Cheyenne, WY 82003-1828

Forest Supervisor US Forest Service 2468 Jackson St Laramie, WY 82070-6535 IN WITNESS WHEREOF, THE PARTIES HERETO have, as of the last signature date below, executed this CCA to be in effect as of the date that the last signatory signs this CCA.

Frank & Eathons	3/01/2017
Chairman	Date
Thunder Basin Grasslands Prairie Ecosystem Association	
3 frage	2-23-17
Field Supervisor	Date
US Fish and Wildlife Service	
They to knowll	2/27/17
State Director	Date
Bureau of Land Management	
Jaga	2/28/17
Forest Supervisor	Date
US Forest Service	